

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2009-115-T - ORDER NO. 2010-72

JANUARY 27, 2010

IN RE: Application of 5 Dolla Cab of Moncks)	ORDER RESCINDING
Corner, LLC, 105 Library Street, Moncks)	ORDER NOS. 2009-209
Corner, South Carolina 29461 (Mailing)	AND 2009-331
Address: Post Office Box 1845, Moncks)	
Corner, South Carolina 29461) (District 1))	
for a Class C Taxi Certificate of Public)	
Convenience and Necessity)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion of the Office of Regulatory Staff (ORS) to rescind Commission Order Nos. 2009-209 and 2009-331 issued to 5 Dolla Cab of Moncks Corner, LLC (5 Dolla Cab or the Applicant) as the result of the failure of the Applicant to comply with certain rules of this Commission. By Order No. 2009-209, dated March 31, 2009, 5 Dolla Cab was granted authority to operate as a motor carrier in South Carolina under a Class C Certificate of Public Convenience and Necessity. On May 19, 2009, the Commission issued Order No. 2009-331, which amended 5 Dolla Cab's scope of authority granted in Order No. 2009-209.

In Order No. 2009-209, the Commission directed the Applicant to file, or cause to be filed, with the ORS the proper license fees, proof of liability insurance, and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended, and by 26 S.C. Code Ann. Regs. 103-100 through 103-241 (Supp. 2009) of the Commission's Rules and Regulations for Motor Carriers, and 23A S.C. Code Ann. Regs.

38-400 through 38-503 (Supp. 2009) of the Department of Public Safety's Rules and Regulations for Motor Carriers, within sixty (60) days of the date of the Order, or within such additional time as may be authorized by the Commission.

Further, Order No. 2009-209 instructed 5 Dolla Cab that the failure to either complete the certification process by complying with the requirements of filing with the ORS proof of appropriate insurance, payment of license fees, and such other information required by law within sixty (60) days of the date of the Order or to request and obtain from the Commission additional time to comply with the stated requirements, may result in the Applicant's authorization being revoked. Additionally, for the amendment granted in Order No. 2009-331 to be effective and for a Certificate to be issued to the Applicant, 5 Dolla Cab was again directed to comply with all statutory and regulatory requirements.

By Motion filed January 7, 2010, ORS requests rescission of Order Nos. 2009-209 and 2009-331. According to ORS, proof of insurance as required by 26 S.C. Code Ann. Regs. 103-171 and the license decal application form and the decal fee as required by 26 S.C. Code Ann. Regs. 103-151(1) have not been received from 5 Dolla Cab. As a result of 5 Dolla Cab's failure to provide to the ORS proof of insurance and the appropriate license decal application form and decal fee, ORS states that it has not issued a Certificate of Public Convenience and Necessity to the Applicant and requests that the Order Nos. 2009-209 and 2009-331 be rescinded for the Applicant's failure to comply with the terms of the Orders.

After consideration of ORS' Motion, the Commission is of the opinion, and so finds, that Order Nos. 2009-209 and 2009-331 granting 5 Dolla Cab authority to provide motor carrier services should be rescinded.

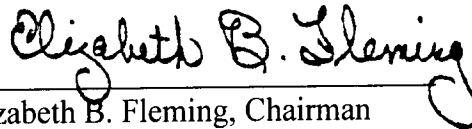
IT IS THEREFORE ORDERED:

1. That Commission Order No. 2009-209, dated March 31, 2009, and Commission Order No. 2009-331, dated May 19, 2009, granting authority to 5 Dolla Cab of Moncks Corner, LLC to provide motor carrier services under a Class C Certificate of Public Convenience and Necessity are rescinded.

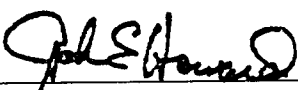
2. That Docket No. 2009-115-T is closed.

3. That this Order shall remain in full force and effect until further Order of this Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman
(SEAL)